

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Inventor(s): CHOO et al.

Appl. No.: 09

646,353

Series Code ↑

Serial No. ↑

Filed: September 18, 2000

Hon. Commissioner of Patents

Washington, D.C. 20231

Group Art U

not assigned

Examiner:

not assigned

Atty. Dkt. P

273884

P00428US

M#

Client Ref

Appl. Title: NULEIC ACID BINDING PROTEINS

JC07 Rec'd PGT/PTO 01 MAY 2001

Sir:

**RESPONSE TO NOTIFICATION OF DEFECTIVE****RESPONSE**

Date: May 1, 2001

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

**FEE REQUIREMENTS FOR CLAIMS AS AMENDED**

## 1. Small Entity claim

A. ☐ NOT madeB. ☐ WithdrawnC. ☒ made herewithD. ☐ made previously

For B & C  
See **Required**  
**Separate Paper**  
(Pat-256)

Claims remaining after amendment	Highest number previously paid for	Present Extra	Large/Small Entity	Additional Fee	Fee Code Lg/Sm
2. Total Effective Claims	29	**minus 29	0	x \$18/\$9 = + \$0	103/203
3. Independent Claims	4	***minus 4	0	x \$80/\$40 = + \$0	102/202
4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application) ..... add				+ \$270/\$135 = + \$0	104/204
5. Original due Date: February 8, 2001		<input type="checkbox"/> NONE			
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached		(1 mo) \$110/\$55 = (2 mos) \$390/\$195 = (3 mos) \$890/\$445 = (Usable only for ≤ 2mo.OA --- 4 mos) \$1390/\$695= (Usable only for 30 day/1mo.OA --- 5 mos) \$1890/\$945=	+ \$445		115/215 116/216 117/217 118/218 128/228
7. Enter any previous extension fee paid since above original due date and subtract				- \$0	
8. Extension Fee Attached				+ \$445	
9. If Terminal Disclaimer attached, add Rule 20(d) official fee .....				+ \$110/\$55	+ \$0 148/248
10. If IDS attached requires Official Fee under Rule 97 (c), ..... add				+ \$180	126
or if Rule 97(d) Request ..... add				+ \$180	126
11. After-Final Request Fee per rules 129(a) and 17(r) .....				+ \$710/355	+ \$0 146/246
12. No. of additional inventions for examination per Rule 129(b).....				x \$710/355 ea	+ \$0 149/249
13. Request for Continued Examination (RCE) .....				+ \$710/355	+ \$0 1179/1279
14. Petition fee for .....				+ \$0	
15. TOTAL FEE ENCLOSED =				\$445	

16. \*If the entry in this space is less than entry in next space, the "Present Extra" result is "0".

17. \*\*If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.

18. \*\*\*If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.

05/03/2001 MNGUYEN 00000113 033975 09646353

Our Deposit Account No. 03-3975)

01 FC:217

445.00 DP

(Our Order No. 71278

C#

273884

M#

**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

Pillsbury Winthrop LLP

Intellectual Property Group

By Atty: Perry E. Van Over

Sig:

Reg. No. 42197

Fax: (202) 822-0944

Tel: (202) 861-3545

1100 New York Avenue, NW  
Ninth Floor  
Washington, DC 20005-3918  
Tel: (202) 861-3000  
Atty/Sec: PEV/MJG

NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT  
APPLICATION

Inventor(s): CHOO et al.

Appln. No.: 09

Series Code ↑

646,353

Serial No. ↑

Filed: September 18, 2000

Hon. Commissioner of Patents

Washington, D.C. 20231

Group Art Unit

Unknown

Examiner:

Unknown

Atty. Dkt. PM

273884

P004287US

M#

Client Ref

Appln. Title:

NUCLEIC ACID BINDING  
PROTEINS

Sir:

Date: May 1, 2001

Please note the following change to/from Small Entity Status:

**CLAIMED NOW**: Applicant hereby claims Small Entity Status**WITHDRAWN NOW**: Applicant hereby withdraws Small Entity Status1100 New York Avenue, NW  
Ninth Floor  
Washington, DC 20005-3918  
Tel: (202) 861-3000  
Atty/Sec: PEV/mjgRespectfully Submitted  
Pillsbury Madison & Sutro LLP  
~~Intellectual Property Group~~

By Atty:

Perry E. Van Over

Sig:

Reg. No.

42,197

Fax:

(202) 822-0944

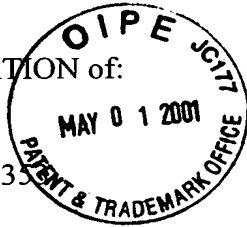
Tel:

(202) 861-3545

PTO/PCT Rec'd 01 MAY 2001

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re PATENT APPLICATION of:  
**CHOO et al.**



Group Art Unit: not assigned

Application No.: 09/646,355

Examiner: not assigned

Filed: September 18, 2000

FOR: NUCLEIC ACID BINDING PROTEINS

\* \* \* \* \*

May 1, 2001

**RESPONSE TO NOTIFICATION OF A DEFECTIVE RESPONSE**

Hon. Commissioner of Patents  
Washington, D.C. 20231

Sir:

In response to the Notification of a Defective Response dated January 8, 2001,  
Applicant's hereby submit a Declaration/Power of Attorney appropriate signed by both  
inventors, Yen CHOO and Mark ISALAN.

This submission should fully satisfy all of the requirements set forth in the notification  
of Missing Requirements mailed November 14, 2001.

Respectfully submitted,

PILLSBURY WINTHROP LLP

By: 

Perry E. Van Over

Reg. No. 42,197

Tel. No.: (202) 861-3545

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UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: ASSISTANT COMMISSIONER FOR PATENTS  
Box PCT  
Washington, D.C. 20231

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/646353	CHOO	PM273884
INTERNATIONAL APPLICATION NO.		
PCT/GB99/00816		
1A-FILING DATE	PRIORITY DATE	
17 MAR 99	17 SEP 00	
DATE MAILED: 08 JAN 2001		

PILLSBURY MADISON & SUTRO  
NINTH FLOOR  
1100 NEW YORK AVENUE NW  
WASHINGTON, DC 20005 3918

NOTIFICATION OF A DEFECTIVE RESPONSE

1. ☐ The request for an extension of time (37 CFR 1.136(a)) filed \_\_\_\_\_ is defective because the required fee is missing/insufficient. Extension of time fees are listed at 37 CFR 1.17(a)(1)-(a)(5).

2. ☐ Applicant's response filed \_\_\_\_\_ was received in the Office on \_\_\_\_\_, which is after the expiration of the period for response set in the last Office notification mailed \_\_\_\_\_. This application will become abandoned unless applicant obtains an extension of time to reply to the last Office notification under 37 CFR 1.136(a).

3. ☒ Applicant's response filed 27 NOV 2000 included the following items, the receipt of which is hereby acknowledged:

- ☐ Copy of the international application in:
  - ☐ a non-English language.
  - ☐ English.
- ☐ Translation of the international application into English ☐ which is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ Processing fee (37 CFR 1.492(f)) ☐ which is insufficient.
- ☐ Oath or Declaration of inventors(s).
- ☐ in compliance with 37 CFR 1.497(a) and (b).
- ☒ not in compliance with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☐ Surcharge (37 CFR 1.492(e)) ☐ which is insufficient.
- ☐ Copy of Article 19 amendments.
- ☐ Translation of Article 19 amendments into English.
- ☐ The International Preliminary Examination Report in English and its Annexes, if any.
- ☐ Translation of Annexes to the International Preliminary Examination Report into English.
- ☐ Preliminary amendment(s).
- ☐ Information Disclosure Statement(s).
- ☐ Assignment document.
- ☐ Power of Attorney and/or Change of Address.
- ☐ Substitute specification.
- ☐ Verified Statement Claiming Small Entity Status.
- ☐ Priority Document.
- ☒ Other: INVENTOR MARK ISALAN NEEDS TO SIGN

4. ☒ All of the requirements set forth in the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905 mailed 14 NOV 2000) have not been completed.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements (Form DO/EO/905), whichever is the longer. No extension of this time limit may be granted under 37 C.F.R. § 1.136, but the period for response set in the Notification of Missing Requirements may be extended up to a maximum of five months.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation

Paulette Kidwell, Paralegal

Telephone: 703-305-3614

FORM PCT/DO/EO/916 (December 1997)

RECEIVED  
PILLSBURY MADISON & SUTRO LLP/DC

JAN 10 2000

CL# 71278 MT# 273884  
ATTY(S) PIR  
DUE: 2-8-01  
DKT BY (1) MUR (2) DW